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UNCLAS SECTION 01 OF 18 MANILA 000293

SENSITIVE
SIPDIS

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SUBJECT: TENTH ANNUAL TRAFFICKING IN PERSONS REPORT -
PHILIPPINES

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[1](#). (U) This cable includes the Mission's input for the 2010 Trafficking in Persons (TIP) Report. The information and statistics cover the period from mid-February 2009 to mid-February 2010, unless otherwise noted. The Mission's TIP point of contact is Political Officer Doreen Bailey, BaileyDP@state.gov, tel. (63)(2) 301-5214, fax (63)(2) 301-2472. Rank of TIP action officer is FS-04. Estimated completion time for report: SFS officer: 2 hours; FS-01 officers: 2 hours; FS-02 officers: 8 hours; FS-04 officers: 50 hours; FSN: 60 hours.

THE PHILIPPINES' TIP SITUATION

[2](#). (SBU) The answers below are keyed to the format contained in ref A, para 25:

[A](#). SOURCES OF INFORMATION: Sources of information in the preparation of this report include the following Philippine government agencies: the Department of Foreign Affairs (DFA); the Department of Justice (DOJ); the Department of Social Welfare and Development (DSWD); the Department of Labor and Employment (DOLE); the Department of Interior and Local Government (DILG); the National Bureau of Investigation (NBI); the Bureau of Immigration (BI); the Philippine National Police (PNP); the Philippine Overseas Employment Agency (POEA); and the Philippine Commission on Women (PCW). The following NGOs also provided significant input: the Visayan Forum Foundation (VFF); International Justice Mission (IJM); The Asia Foundation (TAF); Coalition Against Trafficking in Women, Asia Pacific (CATW-AP); and the Trade Union Congress of the Philippines (TUCP). Additional information stemmed from media reports.

In December 2009, the Inter-Agency Council Against Trafficking in Persons (IACAT) launched the Philippine Anti-Trafficking in Persons Database (PATD), the first integrated, comprehensive, multi-agency database to standardize reporting on and track cases of trafficking, to include victim information, social service delivery to victims, and data from law enforcement on the status of case investigation and prosecution. As the PATD was in its initial stage of implementation during the reporting period,

data provided herein were obtained from databases of individual law enforcement agencies and NGOs that document cases of trafficking. Many of these databases, however, did not focus exclusively on trafficking, making it difficult to disaggregate trafficking cases from other issues. Various government agencies and non-governmental organizations also still employ a variety of non-digitized or -standardized methods to document and track trafficking cases, which often resulted in conflicting and under-reported data.

B. TRAFFICKING OVERVIEW: The Philippines is an origin, and to a lesser extent, a destination and transit country of men, women, and children trafficked internationally and domestically for sexual exploitation and forced labor. Foreign trafficking rings brought the victims to destinations worldwide, including throughout Asia, the Middle East, Europe, and North America. DFA reported the majority of trafficking victims rescued in 2009 were in Malaysia and Singapore, while a smaller number of victims were rescued from various countries, including the United Arab Emirates, Syria, Lebanon, Hong Kong, Thailand, Saipan, Cuba, and Brazil. Estimates of various non-governmental organizations (NGO) and international organizations (IO) vary significantly; some put the number of Philippine citizens trafficked annually in the thousands. NGOs and the government agree that the majority of Filipino trafficking victims are trafficked into commercial sexual exploitation, but others are trafficked for their labor as domestic servants and in unsafe and exploitative industries. There were reports that international organized crime syndicates transited trafficked persons from mainland China through the Philippines to third country destinations.

Endemic poverty, a high unemployment and underemployment rate, the cultural propensity to seek higher living standards

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elsewhere, a weak rule of law environment, and a flourishing sex tourism industry all contributed to the continuation of trafficking in the Philippines. Persons were trafficked from poor, rural areas throughout the Philippines to major urban areas within the country, especially Metro Manila and Cebu, but also increasingly to cities in Mindanao. Manila, Cebu, and Zamboanga, and the Diosdado Macapagal International Airport (DMIA) in the Clark Freeport Zone served as the major exit points for persons being trafficked internationally.

However, within this difficult environment, the Philippine government has consistently mobilized significant resources to combat trafficking.

C. CONDITIONS OF TRAFFICKED PERSONS: A significant number of men and women who migrated abroad for work were subjected to conditions of involuntary servitude in the Middle East, North America, and other parts of Asia. Women were trafficked abroad for commercial sexual exploitation, primarily to Malaysia, Singapore, Hong Kong, South Korea, and Japan. Both women and men were trafficked to Malaysia and throughout the Middle East for forced and exploitative labor in factories, construction sites, and as domestic servants. Women and children were also trafficked domestically, primarily from rural areas to urban areas, for forced labor as domestic workers, small-scale factory workers, and for exploitation in the commercial sex and drug trafficking industry. Child sex tourism continued to be a serious problem, with sex tourists coming from Northeast Asia, Europe, and North America to engage in sexual activity with minors. There were reports that men were also trafficked internally, namely into forced and exploitative labor in sugarcane production, and boys were trafficked into commercial sexual exploitation. Trafficking victims were often subjected to violence, threats, debt bondage, inhumane living conditions, non-payment of salaries, and withholding of documents.

D. VULNERABILITY TO TIP: The Philippines has a large, impoverished, and culturally diverse population, spread

across over 7,000 islands, many of which experience annual, large-scale natural disasters. Geographical barriers, the remoteness of some rural communities, and the lack of infrastructure and educational opportunities have for decades impeded economic development and the provision of basic government services to millions of Filipinos. All these factors combine to make the Philippines a ripe location for human trafficking; these same factors also make human trafficking in the Philippines an extraordinary challenge to overcome.

Women face a far greater risk of becoming victims of trafficking than men, and girls are more at risk than boys. In a DOJ study of 577 trafficking cases, 517 of the victims were female and over half of the victims were minors. Trafficking in children is generally internal: children and young women from poor farming communities in the Visayas (the central Philippines) and Mindanao (the southern Philippines) are brought to major urban centers and exploited as domestic helpers or prostitutes. In 2009, 57 percent of the trafficking victims rescued by the Visayan Forum were from Mindanao. Ethnic minorities, migrant workers, and other socially marginalized groups are more at risk than other groups due to the high prevalence of poverty among them; 29 percent of the population lives below the Asian Development Bank's poverty benchmark of \$1.35 a day. A significant percentage of the victims of internal trafficking were from the Visayas and Mindanao and were fleeing poverty and the threat of continuing violent clashes between the military and the separatist group Moro Islamic Liberation Front (MILF) and attacks by the terrorist New People's Army (NPA) and the Abu Sayyaf Group (ASG). Persons displaced by the Philippines' many natural disasters are also vulnerable to trafficking.

Traffickers most often targeted the multitudes of workers seeking overseas and urban employment. About 1.3 million Philippine workers departed the country to engage in temporary overseas work assignments in all parts of the world in 2009, leaving at the rate of approximately 3,500 per day. An estimated 11 percent of Gross Domestic Product came from workers' remittances, making overseas workers a cornerstone in the government's economic development plans.

Overall, the most common recruits for trafficking were girls

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and young women aged 13 to 30 from rural areas, mainly from impoverished families. Girls from ethnic minorities as young as 10 years old also ended up as commercial sex workers. There were reports that in some cases, parents and guardians sold their children into bondage.

1E. TRAFFICKERS AND THEIR METHODS: Traffickers usually sent local recruiters to their own neighborhoods or villages to recruit friends or relatives, providing the victims a false sense of security. In many cases, trafficking syndicates used women in their mid-40s or older, taking advantage of many victims' perception that older women were less likely to harm them. Traffickers often masqueraded as private employment recruiters or agencies, while actually cooperating with organized crime rings. The most common method was to promise victims a respectable and lucrative job with good benefits, such as free room and board, transportation, and cash advances. Parents and guardians were often supportive, believing that work in urban areas and abroad is the key to ascending the socio-economic ladder. NGOs suggested that domestic and international organized crime syndicates were heavily involved in the sex industry in Manila. Some of these agencies may have also undertaken legitimate recruitment of personnel, making it particularly challenging to identify illegal recruiters, as the line between legitimate and illegitimate agencies was blurred.

Traffickers used land and sea transportation to transfer victims from island provinces to major cities within the country. The system of ferries and barges connecting the

islands from Mindanao to Luzon was the most common and cheapest mode of travel used to transport victims. Traffickers also took increasing advantage of budget airline carriers at airports outside the national capital region to transport victims out of the country. Traffickers used fake travel documents, falsified permits, and altered birth certificates.

THE GOVERNMENT'S ANTI-TIP EFFORTS

13. (SBU) The answers below are keyed to the format contained in ref A, para 26:

1A. GOVERNMENT ACKNOWLEDGMENT OF THE PROBLEM: The government, from the President and senior officials down to governors and local government units (LGUs), acknowledged trafficking as a serious problem and took active and concrete steps to combat trafficking in the country.

1B. AGENCIES INVOLVED IN COMBATING TIP: The Inter-Agency Council Against Trafficking in Persons (IACAT) coordinated, monitored, and oversaw the implementation of the anti-trafficking law, Republic Act (RA) 9208 of 2003, and served as an umbrella organization to coordinate anti-TIP efforts. The Secretaries of Justice and of Social Welfare and Development co-chaired the IACAT. Other member agencies included the Department of Foreign Affairs, Department of Labor and Employment, Philippine Overseas Employment Administration, National Commission on the Role of Filipino Women, National Bureau of Investigation, Bureau of Immigration, and Philippine National Police. Three non-government organizations representing women, children, and overseas workers were also part of the IACAT.

Various government agencies were involved in efforts to combat human trafficking, including:

-- The Department of Foreign Affairs (DFA) extended assistance to victims of trafficking abroad and oversaw the repatriation of victims. It acted as the central coordinating unit for all bilateral, regional, and multilateral antitrafficking efforts. DFA, through its Philippine embassies, took the lead in protecting the rights of migrant workers abroad, in coordination with the Department of Labor and Employment (DOLE). Philippine Overseas Labor Offices (POLOs), the overseas operating arm of DOLE, served abroad under the supervision of the Philippine Chief of Mission or Ambassador.

-- The Commission on Filipinos Overseas (CFO) chaired the inter-agency Presidential Task Force on Human Trafficking.

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The Task Force was created by Presidential order to enhance the coordination between and among government agencies' anti-trafficking programs. CFO also assists in the filing of cases against traffickers.

-- The Department of Social Welfare and Development (DSWD) focused on the protection and social reintegration of victims of trafficking. DSWD operated 42 temporary shelters for victims of abuse throughout the country, including for victims of human trafficking. In addition to DSWD's services within the Philippines, social workers were deployed to the Philippine diplomatic missions in countries with high concentrations of Filipino overseas workers. These social workers coordinated the provision of services with POLOs.

-- The Overseas Workers Welfare Administration (OWWA), an attached agency of DOLE, had responsibility for protecting overseas workers and their dependents. It provided counseling and legal assistance programs to overseas workers and conducted information dissemination and awareness campaigns on living and working overseas. In countries with

large numbers of Overseas Filipino Workers (OFWs), an OWWA officer often served as Assistant Labor Attache.

-- The Department of Justice (DOJ) continued to lead the government's anti-trafficking efforts. In addition to co-chairing the IACAT, it housed and staffed the IACAT Secretariat. The DOJ was responsible for protecting the rights of trafficking victims and prosecuting traffickers. DOJ's Task Force on Anti-Trafficking in Persons is a team of 20 prosecutors who, in addition to their regular workloads, handle the preliminary investigation and prosecution of trafficking cases at the national level. DOJ local prosecutors also prosecute cases.

-- The National Bureau of Investigation (NBI), the Philippine National Police (PNP), and the National Police Commission (NAPOLCOM) worked to identify, investigate, and dismantle trafficking operations and prosecute offenders. The NBI has a national task force focused solely on investigating trafficking allegations, a task force on the protection of women against exploitation and abuse, and a task force on the protection of children from exploitation and abuse. The PNP's Women and Children's Protection Center (WCPC) is responsible for the enforcement of antitrafficking laws at the local level. In 2009 Cebu's PNP Region 7 Division expanded its Regional Anti-Human Trafficking Task Force from eight to 12 personnel.

-- The Philippine Commission on Women (PCW) implemented national development plans for women and provided technical assistance to strengthen the government's response to gender issues. It formulated and monitored policies on trafficking in persons in coordination with relevant government agencies. At the time of this report, it was continuing to develop a definitive guide for government agencies on the protection of trafficked women, which is scheduled for review by the IACAT in July 2010.

-- The Bureau of Immigration (BI) administered and enforced immigration and alien administration laws while adopting measures to apprehend suspected international traffickers at key entry and exit points. It ensured that Filipinos engaged or married to foreign nationals complied with the guidance and counseling requirements in the anti-trafficking law. BI also controlled and monitored border points by deploying deputized marines to help enforce immigration laws.

-- The Philippine Overseas Employment Administration (POEA) was the primary administrator of licenses for recruitment agencies, which cannot solicit employees for overseas work without POEA authorization. POEA had authority to place on probation or bar from recruiting new workers any agencies in violation of POEA standards. POEA also administered pre-employment orientation seminars and pre-departure counseling programs to applicants for overseas employment, to include TIP awareness training.

-- The Philippine Center on Transnational Crime (PCTC) collected information for the effective monitoring, documentation, and prosecution of trafficking cases of foreign nationals.

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-- The Department of Labor and Employment (DOLE) was responsible for coordinating the government's campaign against illegal recruitment, and for maintaining records of overseas Filipino workers. It worked to ensure implementation of, and compliance with, the rules and guidelines on the employment of persons locally and overseas. It also monitored, documented, and reported cases of trafficking in persons involving employers and labor recruiters. In addition, DOLE officers worked as labor attaches at Philippine diplomatic missions and spent much of their time assisting overseas workers. A total of 39 labor attaches served at 34 POLOs around the world at Philippine

diplomatic missions.

DOLE is the lead government agency responsible for the enforcement of child labor laws through the work of its labor standards enforcement offices. DOLE led the "Sagip Batang Manggagawa" (Rescue the Child Workers, or SBM) program, an interagency quick action mechanism composed of DOLE, Philippine National Police (PNP), National Bureau of Investigation (NBI), and DSWD. For additional information on child labor and trafficking, see reftel B.

1C. LIMITATIONS ON GOVERNMENT EFFORTS: The Philippines remains one of the poorest countries in Asia, with a per capita gross domestic product of 1,620 USD. The government's ability to address the trafficking problem and provide assistance to its victims remained limited by inadequate resources and government revenues. There were an insufficient number of shelters and care facilities to care for the long-term needs and rehabilitation services of all victims. Government and law enforcement agencies had few personnel dedicated solely to trafficking, instead relying on officials to engage the issue in addition to other duties. Some agencies reported the creation of redundant anti-trafficking committees and councils that repeatedly call on the same agencies has further strained the workload of the limited personnel working on trafficking issues and created confusing bureaucratic structures.

The government's efforts were further hampered by an ineffective judiciary, which is burdened with large caseloads, limited resources, an 18 to 20 percent judgeship vacancy rate, and grossly inefficient procedures. A 2005 UN Development Program (UNDP) and Philippine Supreme Court study found that the average trial takes over three years. A subsequent World Bank study states trials take, on average, six years to complete. Some government agencies and offices have not yet fully implemented the 2003 anti-trafficking law due to lack of training and orientation on the issue.

Poverty and judicial inefficiency combine to create a situation in which victims are often unwilling to pursue criminal complaints, opting for financial settlement and return to their families over the prospect of a trial that could last for years and entail multiple court appearances. The same factors also serve to foster corruption and complicity among government officials.

National and international NGOs and other foreign donors, including the USG, complemented official government programs. NGOs focused antitrafficking resources primarily on prevention and protection for victims. The strongest efforts existed in the areas of helping to prevent persons from becoming victims, repatriating victims in destination countries, and reintegrating them into Philippine society upon their return home.

1D. MONITORING ANTI-TRAFFICKING EFFORTS: The Philippine government is working to improve its ability to monitor its anti-trafficking efforts through the development of the Philippine Anti-Trafficking in Persons Database (PATD). While the government's ability to collect and analyze data is hampered by limited resources and automation in rural areas, it regularly makes what data it has available to international organizations and foreign governments, including data used in this report. The IACAT and other government task forces involved in antitrafficking activities met regularly to share information and coordinate policies. Government officials also met regularly with concerned NGOs, foreign donors, embassies, and regional and international organizations to share information and assessments, but all agreed solid data about the extent of the problem remained

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difficult to obtain.

The PCTC collected information on transnational crime

activities to include trafficking, but its records were not comprehensive. The CFO developed a database to monitor legal problems involving Filipinos overseas, but its system was not restricted to trafficking and also generated reports on other cases such as domestic violence and human smuggling. The National Police Commission (NAPOLCOM) maintained a database of national crime statistics, including trafficking cases, based on the quarterly reports from PNP. As of this report writing, only one-fifth of nationwide criminal cases had been entered into the system. The system is not yet a reliable source of trafficking data.

1E. ESTABLISHMENT OF IDENTITY OF LOCAL POPULATION: Children born in rural areas, in conflict areas, or to indigenous groups remain less likely to have an attended birth and receive birth certificates and other identity documents. By law, children and adults who lack birth certificates can receive a late-registered certificate, if they provide witnesses to vouch for their identities.

The DFA acknowledges that close cultural, historical, and geographic ties and porous borders between islands in the Southern Philippines and the Sabah region of Malaysia have led to the migration of thousands of undocumented Filipino workers in Sabah, many of whom lack passports and birth certificates. In cooperation with the government of Malaysia, the DFA established a task force in Sabah that, among other services, issued passports, helped to legalize the status of undocumented workers in the region, and worked with agencies in the Philippines to confirm birth records. The DFA issued approximately 35,000 passports through this task force from the late summer of 2008 until early 2010.

On August 11, 2009, the Department of Foreign Affairs launched the Philippine electronic passport, or "e-Passport," with enhanced security features that reduce opportunities for passport fraud and tampering. The modernization of the passport system complies with International Civil Aviations Organization (ICAO) standards requiring all countries to have machine-readable passports by April 2010.

1F. GAPS IN DATA GATHERING: The Philippines is a developing country, with limited fiscal resources to gather data required for an in-depth assessment of law enforcement efforts. The task is further complicated by the many remote regions in the archipelago, some of which lack electricity and telecommunications services. The government actively collaborated with NGOs, international organizations, and foreign donors to help close gaps in data gathering.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS

14. (SBU) The answers below are keyed to the format contained in ref A, para 27.

1A. EXISTING LAWS AGAINST TIP: The Anti-Trafficking in Persons Act of 2003, RA 9208, is the Philippines' landmark legislation to protect its citizens from sexual exploitation and forced labor. The law, the first such law passed in Southeast Asia and a model for the region, carries penalties not only against traffickers, but also against users or buyers of victims. Under the law, the recruitment, transportation, transfer, harboring, or receipt of a minor for the purpose of exploitation provides legal grounds for a case against a trafficker. It is not necessary to show that such acts were made through threats, use of force, or other coercive measures. The law penalizes both domestic and transnational trafficking.

In addition to the anti-trafficking law, the government used several other laws to prosecute traffickers, including: the Migrant Workers and Overseas Filipinos Act (RA 8042), which gave the government the authority to combat illegal recruiting; the Mail-Order Bride Law (RA 6955), which made it unlawful for foreign men to marry Filipino women for the purpose of exploitation; the Inter-Country Adoption Act of

1995 (RA 8043), which sought to protect Filipino children from abuse, exploitation, trafficking, and/or sale; the

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Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act (RA 7610), which established penalties for child exploitation, including child trafficking; and the Anti-Child Labor Law (RA 9231), which guaranteed the protection, health, and safety of child workers and prohibited the employment of children below the age of 15, except with special permission from DOLE. In November 2009, President Macapagal-Arroyo signed the Anti-Child Pornography Act, which carries penalties ranging from one month's imprisonment to a life sentence and fines from 50,000 pesos to 5 million pesos (approximately \$1,050 to \$105,000), depending on the gravity of the offense. The law prohibits hiring, employing, using, persuading, inducing or coercing a child to participate in the production of any form of child pornography.

B. PUNISHMENT OF SEX TRAFFICKING OFFENSES: The anti-trafficking law imposed harsh penalties on persons engaged in human trafficking. The law distinguished between three types of violations: direct participation in trafficking; acts that promoted trafficking; and more serious acts of trafficking, called "qualified" trafficking. The penalty for a direct act was a fine of up to 2 million pesos (\$41,981) and a maximum of 20 years imprisonment. Promotion of trafficking through falsification of documents and tampering with certificates carried up to 15 years' imprisonment and a fine of up to 1 million pesos (\$20,990). The maximum penalty when the victim was a child, trafficking was conducted on a large scale, or the crime involved military or law enforcement agencies and public officials or employees, is life imprisonment and a maximum fine of 5 million pesos (\$104,953). Those who engaged the services of trafficked persons for prostitution faced penalties of between six months of community service and a fine of 50,000 pesos (\$1,049) to a maximum of one year's imprisonment and a fine of 100,000 pesos (\$2,099). The law prescribes the same penalties for trafficking for purposes of sexual exploitation, prostitution, pornography, forced labor, slavery, involuntary servitude, or debt bondage.

C. PUNISHMENT FOR LABOR TRAFFICKING OFFENSES: The anti-trafficking law clearly states it is illegal to recruit, transport, transfer, harbor, provide, or receive a person by any means, including under the pretext of domestic or overseas employment, training, or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude, or debt bondage. Activities that promoted or facilitated labor trafficking could result in imprisonment of up to 15 years and fines of up to 1 million pesos (\$20,990).

The Migrant Workers and Overseas Filipinos Act of 1995 regulates the recruitment and deployment of Filipinos for overseas work. The law imposes a jail term of six to 12 years and a fine of up to 500,000 pesos (\$10,495) for recruiters and placement agencies not registered with the POEA, and for recruiters, whether registered or not, who place workers in jobs harmful to health and morality, or alter employment contracts to the detriment of the worker.

D. PENALTIES FOR RAPE OR SEXUAL ASSAULT: Under the Anti-Rape Law of 1997 (RA 8353), the penalty for rape is life imprisonment. Under the Anti-Sexual Harassment Act of 1995 (RA 7877), those persons convicted face imprisonment of not less than one month and no more than six months, fines up to 20,000 pesos (\$420), or both a fine and imprisonment.

E. LAW ENFORCEMENT STATISTICS: According to the Department of Justice, 20 traffickers have been convicted since the passage of the 2003 anti-trafficking law. During the reporting period, Philippine courts convicted eight individuals in five cases under RA 9208, compared to four

people convicted in three cases in 2008. In September, a regional trial court in Manila sentenced two human traffickers--including a police officer--to life in prison and fined them two million pesos (approximately \$41,981) for trafficking minors in 2005. The convicted police officer was the country's first public official convicted for human trafficking. In October, a trafficker was convicted and sentenced to over 30 years' imprisonment for three counts of sexual abuse and violation of the anti-trafficking law for recruiting minors for commercial sex. In November, a trafficker pled guilty to acts that promote trafficking, a

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crime under the antitrafficking law, and was sentenced to 15 years' imprisonment and fined one million pesos (approximately \$20,991). In a November labor trafficking case, three traffickers were convicted and sentenced to life imprisonment and fined two million pesos (approximately \$41,981) each for attempting to traffic a minor in 2006 under the pretext of an overseas job offer. In December, a trafficker was convicted and sentenced to eight to 10 years' imprisonment in a 2006 case involving illegal recruitment of a minor for employment in Manila as an entertainer. The five successful prosecution cases involve trafficking of twelve minors and nine adults. All convicts are serving the time sentenced.

In 2009, the DOJ received 228 new trafficking cases for review and filed 206 cases for prosecution, an over 100% increase in the number of cases filed. The PNP reports it investigated 192 trafficking cases, of which 149 cases were filed in court, 23 were still under investigation, 14 were settled and six referred to other agencies. The NBI's Anti-Human Trafficking Division and its regional offices investigated 189 complaints of trafficking, of which 84 were filed with DOJ for potential prosecution. Inconsistent reporting mechanisms at local prosecutor offices led to understated numbers of cases filed for prosecution.

Despite the DOJ's intensified efforts to prosecute and convict traffickers, the majority of cases filed for prosecution remained in process due to the overburdened and inefficient judicial system. The judicial process takes, on average, three to four years from the filing of charges to resolution of a case. This judicial inefficiency is not limited to trafficking cases; all court cases in the Philippines take an average of four to seven years to complete.

Under certain circumstances and with approval of the court, Philippine law permitted private attorneys to prosecute cases under the direction and control of a public prosecutor. These "private prosecutors" serve on behalf of the victims in court proceedings. To help address the country's trafficking problem, the DOJ used this provision to partner with IJM and other NGOs to more effectively investigate and prosecute trafficking cases. IJM's offices in Manila and Cebu have partnered with the DOJ to prosecute a total of 81 criminal cases of trafficking, including 28 new cases filed in the reporting period. Three of the five nationwide trafficking convictions in 2009 were a result of cases filed by IJM for the victims in three separate cases of human trafficking.

The government actively investigated cases of trafficking and trafficking-related offenses, but its efforts remained hampered by scarce resources. In 2009, the PNP investigated 192 cases of trafficking involving 381 women and children victims. In 2009, law enforcement units and IJM also partnered to conduct 25 raids and rescue operations in Cebu, Manila, Ilocos Norte, and Palawan. As a result of these operations, 69 perpetrators were arrested and 100 minors and 129 adults rescued. Other government agencies, including DOLE, Local Government Units (LGUs), and law enforcement agencies, also partnered with IJM lawyers to help former victims pursue administrative sanctions against traffickers, including the closure of businesses that participate in

trafficking activities. Acting on closure petitions filed by IJM, DOLE closed four establishments that employed minors for prostitution and sexual exploitation in 2009.

Other government agencies also assisted in the investigation of trafficking and trafficking-related cases. During the reporting period, the Task Force Against Trafficking at Ninoy Aquino International Airport in Manila, an inter-agency task force composed of DOJ, BI, Customs, Airport Police, and the Manila International Airport Authority, referred 28 trafficking cases to the DOJ and arrested eight suspected traffickers. The majority of these cases were referred after September 2009, when the DOJ assigned a prosecutor to work full-time for the task force in order to assist its law enforcement agents in the identification of and evidence handling for trafficking cases. During the year, POEA filed 173 administrative cases against licensed labor recruiters who used fraudulent and deceptive offers to entice jobseekers or imposed inappropriately high or illegal fees on prospective employees and assisted trafficking victims in the

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proper filing of cases at the DOJ prosecutor's office and filed three cases of sex trafficking. POEA also assisted in the arrest of approximately 82 individuals involved in illegal recruitment. DOLE conducted 16 rescue operations involving 79 minors, the majority of whom were trafficked for commercial sexual exploitation.

Criminal cases against traffickers and illegal recruiters were assisted by an improved intelligence network at the barangay (neighborhood or borough) level, in part achieved through a significant expansion of POEA training to Public Employment Service Managers in communities throughout the country.

1F. TRAINING FOR GOVERNMENT OFFICIALS: Government agencies continued their efforts to train police, prosecutors, and other officials on RA 9208. Programs included three PNP seminars for police and social workers on anti-trafficking investigation techniques and the inclusion of anti trafficking elements in other courses, IACAT-run training for 109 prosecutors in three regions, and POEA training for local officials and Public Employment Service Managers that included identification of the warning signs of illegal recruitment and human trafficking.

With the government's own resources severely limited, it actively sought partnerships with foreign donors and internationally funded NGOs to supplement its efforts to train law enforcement officers, prosecutors, judges, and other government officials. Partnering with UNICEF, DOJ trained 110 prosecutors from three regions on the trafficking law, the practical applicability of the Manual on Law Enforcement and Prosecution of Trafficking in Persons Cases, and the handling and treatment of trafficking victims, especially children, with particular reference to the Philippine Guidelines for the Protection of Trafficked Children and Labor Trafficking. Through the same grant, 68 airport police and personnel were trained on the trafficking law and Standard Operating Procedures for task forces against TIP in international airports. PNP and DOLE partnered with IJM to train approximately 602 police officers and 62 labor inspectors on investigation techniques and the anti-trafficking law.

1G. INTERNATIONAL COOPERATION: The government cooperated with other countries in the investigation and prosecution of TIP cases, particularly with Malaysia, Australia, Hong Kong, New Zealand, and the United States. It assisted U.S. authorities in the December 2009 conviction in Florida of an American citizen who traveled to the Philippines for sex with minors. In February 2010, the NBI and U.S. law enforcement officials cooperated on a case that involved the sexual exploitation of minors by foreigners over the internet. Four children were rescued and the local trafficker arrested in this operation,

and the investigation is ongoing. The government actively pursued the case against a Singaporean national based in Kuala Lumpur, Malaysia, who victimized hundreds of Filipino women in 2008. The Malaysian government initially charged the man with a visa violation, but filed trafficking charges again him in 2009 after the Philippine DOJ flew victims to Malaysia to testify against the trafficker.

The Philippines participated in other international efforts to prevent, monitor, and control trafficking. DSWD is one of the partner agencies in the implementation of an International Labor Organization (ILO) project that addresses the lack of systematic documentation of trafficked victims, absence of an effective referral system, and inadequate capabilities on the part of service providers in providing recovery and reintegration services for victims. Philippine law enforcement agencies actively cooperate with U.S. Mission officials on investigations of visa fraud schemes perpetrated by fixers, smugglers, and human traffickers.

IH. EXTRADITIONS: Philippine law permits extradition. The Philippines had extradition treaties with Australia, Canada, the Federated States of Micronesia, Hong Kong, Indonesia, Republic of Korea, Switzerland, Thailand, and the United States. Under the terms of the 2003 anti-trafficking law, trafficking in persons is considered an extraditable offense. The government received no extradition requests for trafficking offenders during the reporting period.

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II. GOVERNMENT INVOLVEMENT AND/OR TOLERANCE: While there was no evidence that the government, as an institution, tolerated, permitted or allowed trafficking crimes, widespread corruption at all levels of government permitted many organized crime groups, including traffickers, to conduct their illegal activities. Corruption among law enforcement agents remained pervasive. At the street level, it was not uncommon for officers to demand petty bribes for minor offenses, real or alleged. Law enforcement officers often extracted protection money in exchange for permitting businesses to conduct legitimate operations without necessary permits, or for allowing illegitimate businesses, such as brothels or gambling dens, to operate. It is widely believed that some government officials are involved in, or at least permit, trafficking operations within the country.

IJ. EFFORTS TO INVESTIGATE AND PROSECUTE GOVERNMENT OFFICIALS FOR INVOLVEMENT IN TRAFFICKING: The government significantly increased its efforts to investigate and prosecute government officials' involvement in trafficking in the reporting period. Police officer Dennis Reci, charged in June 2005 for allegedly trafficking minors for sexual exploitation at his nightclub in Manila, was convicted and received a life sentence in September 2009, the first known conviction of a public official for a trafficking-related offense in the Philippines (see reftel C.) In 2009 the DOJ charged an immigration official with labor trafficking for her role in facilitating the illegal movement of domestic workers through Clark Freeport Zone's Diosdado Macapagal International Airport (DMIA) to Malaysia, the first such case brought against an immigration official in the Philippines. Information received through her arrest led to 15 other immigration officials being relieved of their duties at DMIA on February 12, 2010. The 15 officials were transferred to the BI's main office in Manila pending an investigation into their alleged role in the movement of trafficked persons through DMIA by a joint DOJ, BI and NBI task force.

In January 2009, the Office of the Ombudsman formalized the Tanodbayan (Ombudsman) Against Government Employees Involved in Trafficking (TARGET), composed of six special investigators and two prosecutors tasked to investigate cases against government officials engaged in trafficking in persons or trafficking-related corruption. During the reporting period, TARGET conducted fact-finding

investigations into four government personnel allegedly involved in trafficking cases.

To improve its capacity to combat corruption in human trafficking cases, the Office of the Ombudsman, VFF, IJM and Ateneo Human Rights Center signed a Memorandum of Agreement in February 2010 to jointly prosecute corrupt government officials and train government employees in agencies vulnerable to trafficking-related corruption.

¶K. INTERNATIONAL PEACEKEEPING TROOPS: The Philippines deployed over 1,000 military and police personnel in United Nations peacekeeping missions. During the reporting period, there were no reports of Philippine peacekeepers engaging in or facilitating trafficking, or exploiting trafficking victims.

¶L. CHILD SEX TOURISM: Child sex tourism remained a serious problem for the Philippines. Sex tourists reportedly came from Asia, Europe, North America, and Australia to engage in sexual activity with minors. In 2009, the Bureau of Immigration deported two foreign sex offenders and pedophiles, and in a joint program with the Australian Federal Police denied entry to 19 Australian sex offenders upon their arrival in the Philippines. The government also cooperated with the U.S. in prosecuting American nationals under the terms of the U.S. PROTECT Act of 2003, which criminalized the commission of child abuse by American nationals overseas, including child pornography and other sexual offenses against a minor.

PROTECTION AND ASSISTANCE TO VICTIMS

¶5. (SBU) The answers below are keyed to the format contained in ref A, para 28.

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¶A. VICTIM AND WITNESS PROTECTION: Under the Witness Protection, Security, and Benefit Program, the DOJ offered protection to witnesses from reprisals and economic dislocation by providing security protection, immunity from criminal prosecution, housing, livelihood expenses, travel expenses, medical benefits, education for dependents, and job security. Due to lack of funds, many who would have liked to participate could not and some applications for witness protection were still pending with a regional DOJ office more than a year after being filed.

¶B. ACCESS TO FACILITIES: The Philippines has shelters accessible to trafficking victims, including some shelters that over time have become exclusively dedicated to TIP victims, even though the shelters are not officially designated as such. DSWD maintained 42 residential care units; of these, 13 centers were for girls, 13 centers were for women, and the remaining for men, boys, and the elderly. Substitute homes, or havens, served the needs of female victims of trafficking and other forms of abuse. Twelve substitute homes provided shelter for over 1,400 women and their children. The DSWD's Residential Care unit provided 24-hour residential group care to children on a temporary basis to facilitate healing, recovery, and reintegration with their families and communities. The DSWD also referred cases of abuse to accredited NGOs for women and children, which provided temporary shelter and community services to women and children in crisis, including victims of trafficking. While DSWD's efforts to protect victims were impressive, government funding for DSWD's programs remained inadequate, and some NGOs sought to augment the TIP services and capabilities of the DSWD-operated shelters through training.

Women and Children Protection Units in Department of Health (DOH) hospitals offered medical services and psychological counseling to victims of violence. The Philippine General

Hospital in Manila evaluated and treated TIP victims on behalf of the government.

The government cooperated well with NGOs to support and provide services to trafficking victims. The Philippine Ports Authority works closely with the Visayan Forum Foundation (VFF) and enables it to operate halfway houses for victims and potential victims of TIP. The Philippine Ports Authority's Gender and Development Focal Point Program, an agency under the Department of Transportation and Communication (DOTC), provided the building and amenities for a halfway house for dedicated use by trafficking victims. Under an agreement with the Manila International Airport Authority, VFF runs an airport halfway house for trafficking victims.

VFF ran the Multi-Sectoral Network Against Trafficking in Persons (MSNAT) to promote cooperation and sustain partnership among government, NGOs, the private sector, and civil society. Government partners included the DOJ, DOLE, DFA, DILG, DSWD, National Police Commission, Philippine Ports Authority, and the Commission on Human Rights.

DSWD provided limited funding to accredited NGOs to help meet the basic needs of victims, such as food, clothing, medicine, and legal services. With assistance from DFA, DSWD established arrangements with NGOs in other countries to provide distressed OFWs with temporary shelter, counseling, and medical assistance.

1C. GOVERNMENT ASSISTANCE TO TRAFFICKING VICTIMS: The government assisted victims by providing shelter, and access to legal, medical, and psychological services. Medical and psychological services include physical examination, dental check-ups, and psychiatric evaluation. For trafficking victims overseas, the DFA provides emergency shelter, medical care, and legal assistance. In countries with 20,000 or more overseas workers, these services are rendered through the government's multi-agency Filipino Workers Resource Centers (FWRC). To advance advocacy for the legal rights of overseas workers and prosecution of traffickers and abusive employers abroad, DFA had a 60 million peso (\$1.26 million) budget to fund legal assistance and hire local legal representation. The government allocated 150 million pesos (\$3.15 million) to DFA for emergency assistance to trafficking victims and overseas workers.

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Recognizing that victim care is a key element in successful prosecution of traffickers and the prevention of re-trafficking, the government also partnered with NGOs that provide assistance for and shelter to trafficking victims. In 2009, the Philippine Amusement and Gaming Corporation (PAGCOR), a government agency under the Office of the President, donated 10 million pesos (\$209,908) to the IACAT, which in turn donated 6 million pesos (\$125,944) to five NGOs that provide victims assistance domestically and abroad and also partnered with the DOJ on case prosecution.

1D. ASSISTANCE TO FOREIGN TRAFFICKED VICTIMS: The Anti-Trafficking Law provides that foreign trafficked victims or trafficking victims who transit the Philippines are entitled to the same assistance and protection as Philippine citizens. The government provides temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services to foreign victims of trafficking. Additional protective services included telephone hotlines for reporting abused/exploited cases of women and children. There were no reported foreign national victims of trafficking during the reporting period.

1E. LONG-TERM BENEFITS: Although long-term housing is not provided to trafficking victims, DSWD does provide victims with livelihood skills development and self-employment assistance, including training in entrepreneurial skills and

the provision of capital. DSWD also offers after-care services to reintegrate trafficking victims into their homes and communities. Victims of trafficking rescued within the country went under the custody of the DSWD for proper treatment. For cases overseas, consular officers and personnel from the POLO conducted visits to the jail, work site, or residence of the victim, and then provided temporary shelter as well as legal, financial, and repatriation assistance to the victims. Upon arrival in the Philippines, victims were referred to DSWD for social and medical services.

F. REFERRAL PROCESS: The government referred trafficking victims to short-term and long-term care institutions, including both government and private institutions. The referral process varied depending on the location of the trafficking victim and the nature of the relationship between the government agencies and NGOs on anti-trafficking issues.

G. TOTAL NUMBER OF TRAFFICKING VICTIMS: There are no reliable government statistics on the total number of trafficking victims and the total number assisted with government services. In the reporting period, DSWD served 428 trafficking victims, 78 victims of child labor, 53 victims of illegal recruitment, and 121 victims of sexual exploitation -- including through prostitution, pedophilia and pornography. Due to inconsistent reporting mechanisms at DSWD field offices, the data may understate the number of victims serviced. During the reporting period, Philippine Foreign Service Posts reported a total of 78 cases of trafficking involving 182 victims, the bulk of them in Malaysia, the UAE, and Singapore. These cases were referred to the NBI and to the IACAT for investigation and, where warranted, the filing of complaints of human trafficking. Other government programs, some in cooperation with NGOs, referred victims to government or private services.

H. SYSTEM TO IDENTIFY TRAFFICKING VICTIMS: The implementing rules of the 2003 anti-trafficking law outlined procedures to identify and refer victims of trafficking, whether the incident occurred inside or outside of the country. NGOs noted that training by the government and NGOs during the year continued to improve public and private awareness and understanding of trafficking and the ability to identify traffickers, rescue victims, and investigate cases.

I. THE RIGHTS OF TRAFFICKING VICTIMS: The 2003 anti-trafficking law recognized trafficked persons as victims and did not penalize them for crimes related to the acts of trafficking or for obeying traffickers, regardless of their consent to exploitation. Police sometimes brought charges of vagrancy against prostitutes, some of whom were trafficked.

J. VICTIM COOPERATION WITH LAW ENFORCEMENT: The government actively encouraged victims to assist in the investigation and prosecution of trafficking and related crimes and to file criminal cases against traffickers and unscrupulous

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recruiters. Victims can file civil suits or seek legal action against traffickers in the Philippines, but DFA noted many countries' employment laws restrict the ability of Filipinos trafficked overseas to seek legal redress, particularly in the Middle East. Some victims declined to participate in legal proceedings because of the financial or emotional cost of going to trial or because they settled out of court. This is particularly true in labor trafficking cases, as labor laws facilitate the settlement of cases through payment of financial compensation to victims. Victims who agree to testify as witnesses are allowed to obtain other employment and are allowed to leave the country pending trial proceedings. During the year, DOJ allocated four million (\$83,963) of the PAGCOR donation to fund the travel of victims testifying in trafficking cases, including the transport to Malaysia of two victims for testimony against a trafficker that proved critical to the successful filing of trafficking charges in Malaysian courts.

Victims testified in four of the five convictions made in the reporting period. In the fifth case the victim had vanished two years prior, but testimony from law enforcement officials, social workers, and the victim's family resulted in the government's first successful conviction of a trafficking case without direct victim testimony. In another 2009 conviction, the government and victims accepted a plea bargain agreement that included payment of financial restitution to the victims.

¶K. TRAINING FOR OFFICIALS TO IDENTIFY AND PROTECT VICTIMS: The government, through IACAT and with funding from USAID and other donors, conducted regular training seminars for government officials, including those from DSWD, PNP, DOJ, BI, DOLE, Commission on Human Rights, and various NGOs, on victim identification and gender-sensitive and child-friendly handling of trafficking cases. The BI also conducted periodic training on basic immigration laws and procedures for immigration officers and agents in the field and other personnel involved in operations. DFA trains Foreign Service officers en route to foreign missions, attaches and consular personnel to recognize and respond to trafficking cases; 182 victims were identified at Philippine embassies and consulates abroad in the reporting period. The POEA also trained diplomatic staff, overseas labor officers, and social welfare officers in methods for assisting trafficking victims abroad.

¶L. ASSISTANCE FOR REPATRIATED TRAFFICKING VICTIMS: The government allocated 150 million pesos (\$3.15 million) to DFA for emergency assistance to trafficking victims overseas workers, including repatriation costs and, as required by some Middle Eastern countries, payment of compensation costs to employers in order to secure an exit visa. Following repatriation, victims were referred to law enforcement agencies for investigation of their cases and DSWD for social assistance. DSWD, working with DOLE and DOH, provided protective custody, recovery, and healing services for victims. Services included organization of support groups, psychological and psychiatric interventions, medical, legal and livelihood services, provision of limited financial assistance, and educational assistance. The Overseas Workers Welfare Administration (OWWA) Halfway Home program provided temporary shelter, transport services, financial assistance, and counseling services through a network of NGOs.

¶M. GOVERNMENT COOPERATION WITH NGOS: The government maintained active partnerships with the vibrant local and international NGO community in the Philippines. The most active contributors included:

-- Coalition Against Trafficking in Women - Asia Pacific (CATW-AP) brings attention to trafficking in women and girls, prostitution, pornography, sex tourism, and bride selling through media campaigns and policy advocacy. It provides preventive education program on migration and trafficking at the community and grassroots level and conducts dialogue with government agencies such as the POEA, DOLE, and DSWD on preventive and curative measures. Its services include referring trafficking cases to member and partner organizations for legal, counseling and support services and documentation of trafficking cases based on the Human Rights Information and Documentation System.

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-- Visayan Forum Foundation (VFF) focuses on the promotion of child welfare, especially migrant working children, and is active on the issue of domestic trafficking of women and children. It provides 24-hour services for victims, including the operation of several temporary shelters, counseling, employment referrals, training, and advocacy. Staff positioned at ports identify and intercept probable victims of trafficking as they disembark ships. Through funding assistance from The Asia Foundation and the USG, VFF

spearheaded the creation of the Multi-Sectoral Network Against Trafficking in Persons (MSNAT), a national network committed to provide immediate and appropriate response mechanisms to prevent trafficking, investigate and prosecute offenders, and protect, rescue, recover, and reintegrate victims, especially women and children.

-- The Trade Union Congress of the Philippines (TUCP) is the largest trade union network in the Philippines. The TUCP forges coalitions with various labor groups in its efforts to promote and protect the rights and welfare of workers and other disadvantaged groups, including women, youth, children, and migrant workers. TUCP's Women's Bureau is particularly active in anti-trafficking initiatives, such as public information and media campaigns, database collection and documentation, provision of legal assistance to victims through public attorneys' offices, and networking. With funding support from the American Center for International Labor Solidarity and the USG, TUCP completed a government database housed with the Commission on Filipinos Overseas (CFO) to provide a uniform reporting mechanism that conforms to National Police Commission (NAPOLCOM) standards. In February 2009, TUCP, in cooperation with the Bataan provincial government, launched the Bataan Task Force against Trafficking, that province's interagency body on anti-trafficking issues.

The TUCP sustains information, data basing and survivor-servicing activities through its TIP-dedicated website and help lines. These communication channels enabled TUCP to respond to a number of inquiries and requests for intervention. Sustained collaboration with the CFO facilitated quicker action on victim and family tracing; provision of immediate reintegration services; safe return of victims; and case filing, development, and monitoring. Through this collaboration, a Filipina domestic worker was repatriated after more than a month of forced labor in Koror, Palau. Information about the victim's case was sent to TUCP via email. TUCP referred the case to the CFO, which immediately contacted the Philippine Embassy in Palau for appropriate action.

-- Development Action for Women Network (DAWN) addresses the concerns of Filipino women migrants in Japan as well as the growing number of Japanese-Filipino children (JFCs). Almost 90 percent of Filipino OFWs in Japan are female entertainers, making them vulnerable to trafficking and sexual exploitation. In coordination with its DAWN-Japan volunteers, DAWN-Philippines assists JFCs abandoned by their Japanese fathers.

-- Women's Legal Bureau (WLB) is a feminist legal NGO composed of lawyers, academics, and members of other professions. It provides legal services to trafficking victims and survivors of violence against women and conducts education and information campaigns to raise public awareness on women's issues. Other programs include representation of women in judicial proceedings, training of law enforcement officials and lawyers on gender sensitivity, empowering communities to respond to gender issues such as violence against women.

-- Third World Movement Against the Exploitation of Women (TWMAEW) addresses the needs of children and women in prostitution and other victims of sexual exploitation through shelters and support centers. It offers skills training, livelihood assistance, and psycho-social intervention. In collaboration with UNICEF and DepEd, it conducted awareness-raising campaigns on sexual abuse for 13,291 elementary school pupils. Social workers, educators, and victims of sexual abuse facilitated the workshops.

-- Kanlungan Center Foundation (KCF) works with OFWs and their families to address the problems of migrant workers.

It provides legal and welfare assistance, psycho-social counseling, temporary shelter, education, and training. It teaches courses on migrant rights, legal remedies, and gender awareness and sensitivity. KCF also creates partnerships at the grassroots level to address the psycho-social and economic sides of migration that can impact communities. Through an ILO grant, KCF provided assistance to 60 trafficked women. Of the 60 trafficked victims, DFA repatriated 49 from Singapore, Malaysia, Saudi Arabia, South Korea, Lebanon, Doha Qatar, Jordan and United Arab Emirates. Eleven women still await repatriation.

-- End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT) campaigns to raise general public awareness in tourism, the travel industry, and high-risk communities on sexual abuse and commercial sexual exploitation of children. ECPAT is a member of the Special Committee for the Protection of Children under the DOJ and works with local government units in major provinces and cities, other NGOs, and church-based organizations.

PREVENTION

¶6. (SBU) The answers below are keyed to the format contained in ref A, para 29:

¶A. PUBLIC AWARENESS CAMPAIGNS: Government agencies, with help from and cooperation with NGOs and bilateral international donor agencies, increased the frequency of their TIP information and education campaigns in the reporting period, including:

-- IACAT distributed hundreds of standard orientation modules on trafficking in persons to city and municipal mayors at an annual conference in Manila.

-- To reduce the demand for commercial sex acts in the Philippines, in June 2009 the Bureau of Immigration introduced a warning message against human trafficking, abuse and exploitation of women and children, and drug trafficking in airport immigration arrival/departure forms used by thousands of international passengers daily.

-- POEA conducted 659 pre-deployment orientation seminars, which includes information on trafficking and workers rights, for 23,400 departing overseas Filipino workers (OFWs) in ¶2009. These seminars sought to educate the OFWs on the risks and rewards of overseas employment, and to empower them to seek assistance if they are trafficked or abused.

-- In 2009, the Department of Transportation and Communication (DOTC) partnered with the VFF and eight major transport groups for joint public information campaigns, capacity-building for staff and key officers and the development of an industry-wide Code of Conduct against human trafficking. A total of 347 officers and crew members from transport companies were trained during the reporting period.

-- The VFF, with the support of The Asia Foundation, also worked with the PROBE Team, a Philippine public affairs program aired on a major television network, for the production of an infomercial on human trafficking. Partners from transport groups, port and airport authorities are using the infomercials to warn passengers against trafficking.

¶B. IMMIGRATION AND EMIGRATION PATTERNS: The government continued its efforts to increase its capacity to monitor immigration patterns for evidence of trafficking. During the year, the BI offloaded 9,947 passengers at Manila and Clark Freeport Zone international airports who were not properly documented and believed to be at risk for illegal recruitment and trafficking, a 100 percent increase from 2008. The Task Force Against Trafficking at Ninoy Aquino International Airport in Manila intercepted and offloaded 228 passengers bound for Dubai, Singapore, China, Malaysia, Kuwait, Abu

Dhabi, Jordan and Syria with questionable travel documents.

Despite efforts to guard major port areas, the government did not have sufficient resources to adequately monitor the coastlines of the Philippines' more than 7,000 islands. In

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2009, approximately one million passengers transited Manila's North Harbor, the country's largest port; as many as half were in search of employment opportunities. The Philippine Coast Guard, under the Department of Transportation and Communication, randomly intercepted ferries to search for trafficked victims and illegal recruiters. The Maritime Police conducted investigations upon the disembarkation of passengers and referred victims of trafficking to government agencies or local NGOs for further assistance. The VFF, which in cooperation with local government and port officials had response centers at or near several major ports, intercepted potential victims of trafficking at major seaports and on seafaring vessels and rescued over 2,650 potential victims of trafficking.

1C. COORDINATION AND COMMUNICATION BETWEEN GOVERNMENT AGENCIES: The Inter-Agency Council Against Trafficking in Persons (IACAT), through its regular monthly meetings, coordinated, monitored, and oversaw the implementation of the Anti-TIP Law, and served as an umbrella organization to coordinate anti-TIP efforts in the Philippines. The DOJ and DSWD Secretaries co-chaired the IACAT, which also included representatives from DFA, DOLE, POEA, NCRFW, NBI, BI, PNP, and three NGOs representing women, children, and overseas Filipino workers.

In addition to the national-level IACAT, the government continued to create local and regional inter-agency councils against TIP. The local IACATs similarly included various government agencies, local government units, and NGOs. Alongside the local IACATs, local task forces in some areas coordinated law enforcement and prosecution efforts.

The DFA's Commission on Filipinos Overseas (CFO) chairs the interagency Presidential Task Force on Human Trafficking, which conducts surveillance and entrapment operations in coordination with law enforcement and immigration agencies, conducts community education, and provides legal and psycho-social services to trafficking victims. In 2009, three traffickers were convicted in one case filed and coordinated by the CFO.

In recognition of its leadership role in efforts to fight trafficking and protect the rights of migrant workers, the Philippines chairs The Association of Southeast Asian Nations (ASEAN) Senior Officials Meeting on Transnational Crime (SOMTC) Working Group on Trafficking in Persons. The group worked to increase regional cooperation on trafficking issues and is currently drafting the ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers.

1D. NATIONAL PLAN OF ACTION TO ADDRESS TRAFFICKING: The government maintained its national action plan to address TIP, originally developed with NGO input. IACAT leads the implementation of the plan, involving DOJ, DSWD, DOLE, and other government agencies. All agencies involved in IACAT shared responsibilities for developing and implementing anti-trafficking programs. As co-chair of IACAT, DOJ ensured the protection of persons accused of trafficking, provided access to free government or NGO legal assistance, and trained prosecutors in handling trafficking-related cases. DSWD took the lead in implementing rehabilitative and protective programs for trafficked persons and providing victims with counseling and temporary shelter. DSWD also developed a system for accreditation of NGOs to establish centers and programs for intervention at the community level.

1E. GOVERNMENT EFFORTS TO REDUCE DEMAND FOR COMMERCIAL SEX ACTS: The government, given its limited resources, did not

have specific programs aimed at reducing the demand for commercial sex acts, but worked with several NGOs, including the Coalition Against Trafficking in Women, that sponsored demand-reduction programs targeting teenage males.

1F. GOVERNMENT EFFORTS TO REDUCE PARTICIPATION IN INTERNATIONAL CHILD SEX TOURISM BY NATIONALS: As a destination country for child sex tourists, the Philippine government focused its limited resources on fighting child sex tourism inside the country.

1G. INTERNATIONAL PEACEKEEPING TROOPS: The Philippines deployed over 1,000 military and police personnel in United Nations peacekeeping missions. No reports of Filipino

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peacekeepers' involvement in trafficking-related incidents were received by the AFP or DFA. Before deploying troops to peacekeeping operations, the Department of National Defense and the PNP conducted seminars and training for peacekeepers, including a training module on trafficking in persons. The DFA also provided pre-departure orientation seminars to Foreign Service officers and other government personnel, including military and police, before being assigned abroad.

PARTNERSHIPS

17. (SBU) The answers below are keyed to the format contained in ref A, para 30:

1A. GOVERNMENT'S ENGAGEMENTS WITH OTHER GOVERNMENTS, CIVIL SOCIETY, AND/OR MULTILATERAL ORGANIZATIONS: The Philippine government engaged with other governments, civil society, and/or multilateral organizations to focus on and devote resources to addressing human trafficking. During the reporting period, the IACAT worked with the Asia Regional Trafficking in Persons Project by the Australian Agency for International Development (AusAid) to conduct TIP case analysis and data collection and management and to develop and deliver "train the trainer" training for specialist prosecutors.

During the reporting period, Local Government Units partnered with the Visayan Forum, MTV-Exit Philippines and the United States Agency for International Development (USAID) on the MTV EXIT Philippine concert tour, attended by over 25,000 people, which featured popular local artists and bands advocating against human trafficking. Regional concerts in the cities of Cebu and Davao were held in October and November 2009, respectively. These regional initiatives mobilized the support of Philippine government and private sector partners, and complemented the nationwide awareness campaign.

Additional information about the Philippine government's extensive partnerships with other foreign governments, donors, NGOs, and IOs are discussed in greater detail in various sections of this cable.

1B. INTERNATIONAL ASSISTANCE PROVIDED TO OTHER COUNTRIES: The Philippine government, due to limited funding, has not provided international assistance to other countries to address trafficking in persons.

REQUIREMENT FOR THE CHILD SOLDIERS PREVENTION ACT

18. (SBU) The answers below are keyed to the format contained in ref A, para 31-33:

During the year the terrorist New People's Army (NPA) and the Abu Sayyaf Group (ASG) targeted children for recruitment as combatants and noncombatants. The NPA claimed that it

assigned persons 15 to 18 years of age to self-defense and noncombatant duties; however, there were reports that the NPA continued to use minors in combat. During the year, the AFP reportedly rescued 15 child soldiers, 12 of whom were allegedly recruited by the NPA. The ASG recruited teenagers to fight and participate in its activities.

A 2007 study commissioned by the UN Children's Fund (UNICEF) found that children as young as 10 years old were used as soldiers or recruited by the Moro Islamic Liberation Front (MILF). Most of the children were volunteers in noncombat roles, often with the support of their families. During the December 2008 visit of the Special Representative of the UN Secretary General, the MILF agreed to stop the recruitment and use of children in its ranks. On July 31, UNICEF and the MILF signed an action plan to prevent the recruitment and use of child soldiers and to release children from all MILF units. The Philippine government supported and facilitated UNICEF's negotiations with the MILF.

During the year, the Department of Social Welfare and Development (DSWD) assisted seven child soldiers rescued from rebel groups. Government reporting mechanisms for children

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in armed conflict were inconsistent between agencies and regions, making it difficult to evaluate the scope of the problem.

BASSETT